

HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

HUNTERS CAPITAL, LLC et al.,

Plaintiffs,

v.

CITY OF SEATTLE,

Defendant.

Case No. 20-cv-00983 TSZ

DECLARATION OF TYLER FARMER IN
SUPPORT OF CITY OF SEATTLE'S
OPPOSITION TO MOTION FOR CLASS
CERTIFICATION

I, Tyler Farmer, declare as follows:

1. I am one of the attorneys representing the City of Seattle in this action. I am over age 18, competent to be a witness, and making this declaration based on facts within my own personal knowledge.

2. Attached as **Exhibit 1** is a true and correct copy of Governor Jay Inslee's March 23, 2020 "Stay Home – Stay Healthy" Proclamation number 20-25. This document was collected from the State's website at <https://www.governor.wa.gov/sites/default/files/proclamations/20-25%20Coronavirus%20Stay%20Safe-Stay%20Healthy%20%28tmp%29%20%28002%29.pdf> on February 5, 2022.

3. Attached as **Exhibit 2** is a true and correct copy of excerpts from the deposition of Tamara Kilburn, Sway and Cake's Rule 30(b)(6) designee, taken in this matter on May 7, 2021.

4. Attached as **Exhibit 3** is a true and correct copy of Governor Jay Inslee’s May 4, 2020 “Safe Start Washington: Phase I – Re-Opening Washington” Proclamation number 20-25.3. This document was collected from the State’s website at https://www.governor.wa.gov/sites/default/files/20-25.3%20-%20COVID-19%20Stay%20Home%20Stay%20Healthy%20-%20Reopening%20%28tmp%29.pdf?utm_medium=email&utm_source=govdelivery on February 5, 2022.

5. Attached as **Exhibit 4** is a true and correct copy of a chart from the State of Washington’s Coronavirus website entitled “Washington’s Phased Approach” to “Reopening Business and Modifying Physical Distancing Measures”. This document was collected from the State’s website at <https://www.coronavirus.wa.gov/sites/default/files/2020-05/PhasedReopeningChart.pdf> on February 5, 2022.

6. Attached as **Exhibit 5** is a true and correct copy of King County’s June 5, 2020 announcement regarding “opening of businesses”. This document was collected from King County’s website at <https://kingcounty.gov/elected/executive/constantine/news/release/2020/June/05-phase-covid.aspx> on January 20, 2022 and was marked as deposition exhibit 143 during the January 20, 2022 deposition of Mr. Oaksmith, one of the Hunters Capital’s Rule 30(b)(6) designees.

7. Attached as **Exhibit 6** is a true and correct copy of King County’s June 19, 2020 announcement regarding “Phase 2 of Safe Start recovery plan”. This document was collected from King County’s website at <https://kingcounty.gov/elected/executive/constantine/news/release/2020/June/19-phase-2-reopening.aspx> on January 29, 2022.

8. Attached as **Exhibit 7** is a true and correct copy of a King 5 article titled, “All Washington counties moving to Phase 3 of reopening.” This article was first published on March

1 11, 2021 and updated on March 21, 2021. This article was collected from King 5's website at
2 [https://www.king5.com/article/news/health/coronavirus/jay-inslee-covid-19-reopening-](https://www.king5.com/article/news/health/coronavirus/jay-inslee-covid-19-reopening-washington/281-0b7fbbc3-97ab-4650-8e75-df83f31b53e9)
3 [washington/281-0b7fbbc3-97ab-4650-8e75-df83f31b53e9](https://www.king5.com/article/news/health/coronavirus/jay-inslee-covid-19-reopening-washington/281-0b7fbbc3-97ab-4650-8e75-df83f31b53e9) on January 29, 2022.

4 9. Attached as **Exhibit 8** is a true and correct copy of a screenshot snippet dated June
5 16, 2020 from 8oz. Burger & Co. Facebook page. This screenshot was collected from this site:
6 <https://www.facebook.com/8ozburgerandco> on February 5, 2022.

7 10. Attached as **Exhibit 9** is a true and correct copy of a screenshot snippet dated June
8 23, 2020 from Capitol Cider's Facebook page. This screenshot was collected from this site:
9 <https://www.facebook.com/CapitolCider> on February 5, 2022.

10 11. Attached as **Exhibit 10** is a true and correct copy of a screenshot snippet dated
11 August 14, 2020 from Unicorn's Facebook page. This screenshot was collected from this site:
12 <https://www.facebook.com/UnicornSeattle> on February 5, 2022.

13 12. Attached as **Exhibit 11** is a true and correct copy of excerpts from the deposition of
14 Bradford Augustine, Madrona Entities' Rule 30(b) 6) designee, taken in this matter on January 31,
15 2022.

16 13. Attached as **Exhibit 12** is a true and correct copy of the Madrona Entities'
17 (Madrona Real Estate Investors IV, LLC, Madrona Real Estate Investors, VI, LLC, 12th and Pike
18 Associates, LLC and Madrona Real Estate Services, LLC) spreadsheet detailing their alleged
19 damages. This document has been produced in this matter by Plaintiffs' under Bates number
20 CHOP-0008704 – CHOP-0008706 and was marked as deposition exhibit 157 during the January
21 31, 2022 deposition of Mr. Augustine, the Madrona Entities' Rule 30(b)(6) designee.

22 14. Attached as **Exhibit 13** is a true and correct copy of a screenshot snippet dated
23 October 25, 2020 from Rock Box's Facebook page. This screenshot was collected from this site:
24 <https://www.facebook.com/RockBoxSeattle> on February 5, 2022.

25 15. Attached as **Exhibit 14** is a true and correct copy of excerpts from the deposition of

1 Jill Cronauer, one of Hunters Capital's Rule 30(b)(6) designees, taken in this matter on September
2 30, 2021.

3 16. Attached as **Exhibit 15** is a true and correct copy of an April 1, 2020 email
4 attaching a letter to Jill Cronauer of Hunters Capital from Amy Nelson of The Riveter. This
5 document has been produced in this matter by Plaintiffs' under Bates number CHOP-0026546 –
6 CHOP-0026547 and was marked as deposition exhibit 80 during the September 30, 2021
7 deposition of Ms. Cronauer, one of Hunters Capital's Rule 30(b)(6) designee.

8 17. Attached as **Exhibit 16** is a true and correct copy of a notice on King County's
9 website regarding the County's Eviction Prevention and Rent Assistance Program. This program
10 became operational per Governor Inslee's Proclamation 21-09 dated June 29, 2020. This
11 document was collected from King County's website at: [https://kingcounty.gov/depts/community-](https://kingcounty.gov/depts/community-human-services/COVID/eviction-prevention-rent-assistance.aspx)
12 [human-services/COVID/eviction-prevention-rent-assistance.aspx](https://kingcounty.gov/depts/community-human-services/COVID/eviction-prevention-rent-assistance.aspx) on February 1, 2022.

13 18. Attached as **Exhibit 17** is a true and correct copy of an email exchange between
14 Bill Donner and Barry Cosme of Richmark Label dated during June 2020. This document has
15 been produced in this matter by Plaintiffs' under Bates number CHOP-0005468 – CHOP-0005471
16 and was marked as deposition exhibit 102 during the November 16, 2021 deposition of Mr.
17 Donner, the Richmark Label Rule 30(b)(6) designee.

18 19. Attached as **Exhibit 18** is a true and correct copy of an email exchange between
19 Barry Cosme of Richmark Label and "Eddie" regarding Northwest Liquor Rent dated July 2 – 8
20 2020. This document has been produced in this matter by Plaintiffs' under Bates number CHOP-
21 0005429 – CHOP-0005431 and was marked as deposition exhibit 103 during the November 16,
22 2021 deposition of Mr. Donner, the Richmark Label Rule 30(b)(6) designee.

23 20. Attached as **Exhibit 19** is a true and correct copy of excerpts from the deposition of
24 Bill Donner, Richmark Label's Rule 30(b)(6) designee, taken in this matter on November 16,
25 2021.

21. Attached as **Exhibit 20** is a true and correct copy of spreadsheet detailing Richmark Label's tenants. This document has been produced in this matter by Plaintiffs' under Bates number CHOP-0028968.

22. Attached as **Exhibit 21** is a true and correct copy of excerpts from the deposition of Matthew Ploszaj taken in this matter on June 10, 2021.

23. Attached as **Exhibit 22** is a true and correct copy of an article published on the Capitol Hill Seattle Blog website dated June 18, 2020 titled, "*Police and crowd control tactics left the scene, but residents near Capitol Hill protest zone contend with ongoing occupancy.*" This post includes a copy of the full letter Packard building resident group sent to then Mayor, Jenny Durkan. This post was collected from this website:

<https://www.capitolhillseattle.com/?s=police+and+crowd+control&submit=Search> on February 3, 2022.

24. Attached as **Exhibit 23** is a true and correct copy of an email exchange between Kayla Stevens and Jill Cronauer of Hunters Capital and their tenants Maris Antolin and Ryan Tarbet dated June 17, 2020. This document has been produced in this matter by Plaintiffs' under Bates number CHOP-0000300 – CHOP-0000301.

25. Attached as **Exhibit 24** is a true and correct copy of an email exchange between Jill Cronauer of Hunters Capital and their tenant Dustin K. dated June 18, 2020. This document has been produced in this matter by Plaintiffs' under Bates number CHOP-0000251 – CHOP-0000253.

26. Attached as **Exhibit 25** is a true and correct copy of an article published by the Seattle Times dated April 28, 2020 titled, "*Seattle residents are flocking to South King County during COVID pandemic*". This article was collected from this website:

<https://www.seattletimes.com/seattle-news/housebound-seattle-residents-move-to-south-king-county-for-more-room-during-the-pandemic/> on February 3, 2022.

27. Attached as **Exhibit 26** is a true and correct copy of an article published by The

1 New York Times dated April 19, 2021 titled, “*How the Pandemic Did, and Didn’t, Change Where*
2 *Americans Move*”. This article was collected from this website:

3 [https://www.nytimes.com/interactive/2021/04/19/upshot/how-the-pandemic-did-and-didnt-change-](https://www.nytimes.com/interactive/2021/04/19/upshot/how-the-pandemic-did-and-didnt-change-moves.html)
4 [moves.html](https://www.nytimes.com/interactive/2021/04/19/upshot/how-the-pandemic-did-and-didnt-change-moves.html) on February 3, 2022.

5 28. Attached as **Exhibit 27** is a true and correct copy of an article published by The
6 New York Times dated September 4, 2020 titled, “*To Many Travelers, 2020 was the Summer of*
7 *1965*”. This article was collected from this website:

8 [https://www.nytimes.com/2020/09/04/travel/to-many-travelers-2020-was-the-summer-of-](https://www.nytimes.com/2020/09/04/travel/to-many-travelers-2020-was-the-summer-of-1965.html)
9 [1965.html](https://www.nytimes.com/2020/09/04/travel/to-many-travelers-2020-was-the-summer-of-1965.html) on February 3, 2022.

10 29. Attached as **Exhibit 28** is a true and correct copy of excerpts from the deposition of
11 Wade Biller, Onyx Homeowners Association’s Rule 30(b)(6) designee, taken in this matter on
12 December 10, 2021.

13 30. Attached as **Exhibit 29** is a true and correct copy of excerpts from the deposition of
14 Sean Sheffer, Shuffle LLC d/b/a Cure Cocktails’s Rule 30(b)(6) designee, taken in this matter on
15 May 18, 2021.

16 31. Attached as **Exhibit 30** is a true and correct copy of a screenshot snippet dated June
17 7, 2020 from 35th North Skateshop’s Facebook page. This screenshot was collected from this site:
18 <https://www.facebook.com/35thnorth> on February 5, 2022.

19 32. Attached as **Exhibit 31** is a true and correct copy of a screenshot snippet dated June
20 19, 2020 from 35th North Skateshop’s Facebook page. This screenshot was collected from this
21 site: <https://www.facebook.com/35thnorth> on February 5, 2022.

22 33. Attached as **Exhibit 32** is a true and correct copy of a screenshot snippet dated June
23 21, 2020 from Capitol Cider’s Facebook page. This screenshot was collected from this site:
24 <https://www.facebook.com/CapitolCider> on February 5, 2022.

25 34. Attached as **Exhibit 33** is a true and correct copy of a screenshot snippet dated June

1 16, 2020 from Rock Box's Facebook page. This screenshot was collected from this site:

2 <https://www.facebook.com/RockBoxSeattle> on February 5, 2022.

3 35. Attached as **Exhibit 34** is a true and correct copy of a screenshot snippet dated June
4 1, 2020 from Unicorn Bar's Facebook page. This screenshot was collected from this site:

5 <https://www.facebook.com/UnicornSeattle> on February 5, 2022.

6 36. Attached as **Exhibit 35** is a true and correct copy of a screenshot snippet dated June
7 7, 2020 from Central Lutheran Church's Facebook page. This screenshot was collected from this
8 site: <https://www.facebook.com/whereloveiscentral> on February 5, 2022.

9 37. Attached as **Exhibit 36** is a true and correct copy of a screenshot snippet dated June
10 19, 2020 from Hunters Capital's Facebook page. This screenshot was collected from this site:

11 <https://www.facebook.com/hunters.capital> on February 5, 2022.

12 38. Attached as **Exhibit 37** is a true and correct copy of a screenshot snippet dated June
13 3, 2020 from Vermillion Art Gallery and Bar's Facebook page. This screenshot was collected
14 from this site: <https://www.facebook.com/VermillionGalleryBar> on February 5, 2022.

15 39. Attached as **Exhibit 38** is a true and correct copy of a screenshot snippet of a Tweet
16 dated June 24, 2020 by Omari Salisbury @omarisal. This screenshot was collected from this site:

17 <https://twitter.com/omarisal/status/1275963373516058626> on February 5, 2022.

18 40. Attached as **Exhibit 39** is a true and correct copy of Rancho Bravo's Sales Reports
19 dated March – December, 2020. This document has been produced in this matter by Plaintiffs'
20 under Bates number CHOP-0005009 – CHOP-0005030.

21 41. Attached as **Exhibit 40** is a true and correct copy of an email from Richmark Label
22 employee Jeff Scott to several Richmark Label employees dated July 2, 2020. This document has
23 been produced in this matter by Plaintiffs' under Bates number CHOP-0008399 – CHOP-0008400
24 and was marked as deposition exhibit 104 during the November 16, 2021 deposition of Mr.
25 Donner, the Richmark Label Rule 30(b)(6) designee.

42. Attached as **Exhibit 41** is a true and correct copy of an email exchange between Rich Fox, Operating Owner of Poquitos Restaurant and Jill Cronauer of Hunters Capital dated June 13 - 14, 2020. This document has been produced in this matter by Plaintiffs' under Bates number CHOP-0000284 and was marked as deposition exhibit 149 during the January 20, 2022 deposition of Mr. Oaksmith, one of the Hunters Capital's Rule 30(b)(6) designees.

43. Attached as **Exhibit 42** is a true and correct copy of a spreadsheet containing descriptions of protest-related tort claims filed with the City of Seattle. This document has been produced in this matter by the City of Seattle under Bates number SEA_00144754 – SEA_00144758.

44. Attached as **Exhibit 43** is a true and correct copy of excerpts from the deposition of Seattle Police Department Assistant Police Chief Thomas Mahaffey taken in this matter on January 26, 2022.

45. Attached as **Exhibit 44** is a true and correct copy of excerpts from the deposition of Seattle Fire Department Chief Harold Scoggins taken in this matter on September 14, 2021.

46. Attached as **Exhibit 45** is a true and correct copy of a PowerPoint presentation titled, *Seattle Fire Department Response to protests and CHAZ/ CHOP* presented by Chief Scoggins in August 2021 to the NHSC (National Homeland Security Conference). This document has been produced in this matter by the City of Seattle under Bates number SEA_00144709 and was marked as deposition exhibit 5 during the September 14, 2021 deposition of Chief Harold Scoggins.

47. Attached as **Exhibit 46** is a true and correct copy of excerpts from the deposition of Former General Manager and CEO of Seattle Public Utilities Mami Hara taken in this matter on October 4, 2021.

48. Attached as **Exhibit 47** is a true and correct copy of excerpts from the deposition of John McDermott, SRJ d/b/a Car Tender's Rule 30(b)(6) designee, taken in this matter on January

19, 2022.

49. Attached as **Exhibit 48** is a true and correct copy of excerpts from the deposition of Lonnie Thompson, Bergman’s Lock and Key Rule 30(b)(6) designee, taken in this matter on May 4, 2021.

50. Attached as **Exhibit 49** is a true and correct copy of excerpts from the deposition of Former Seattle Department of Transportation Director Sam Zimbabwe taken in this matter on October 28, 2021.

51. Attached as **Exhibit 50** is a true and correct copy of an email exchange between Richmark Label owner Bill Donner and Gary Volchok dated June 11 - 12, 2020. This document has been produced in this matter by Plaintiffs’ under Bates number CHOP-0005676 – CHOP-0005677 and was marked as deposition exhibit 90 during the November 16, 2021 deposition of Mr. Donner, the Richmark Label Rule 30(b)(6) designee.

52. Attached as **Exhibit 51** is a true and correct copy of an article published by The Seattle Times dated May 29, 2020 titled, “*Sparked by death of George Floyd, Seattle protesters clash with police*”. This article was collected from this website:

<https://www.seattletimes.com/seattle-news/protesters-break-windows-clash-with-police-in-downtown-seattle/> on September 16, 2021.

53. Attached as **Exhibit 52** is a true and correct copy of an article published by The New York Times dated November 5, 2021 titled, “*George Floyd Protests: A Timeline*”. This article was collected from this website: <https://www.nytimes.com/article/george-floyd-protests-timeline.html> on January 30, 2022.

54. Attached as **Exhibit 53** is a true and correct copy of a May 30, 2020 Snap Shot Report from the City of Seattle’s Office of Emergency Management Emergency Operations Center (EOC). This document has been produced in this matter by the City of Seattle under Bates number SEA-OEM_000001 – SEA-OEM_000002.

55. Attached as **Exhibit 54** is a true and correct copy of an article published by The New York Times dated June 9, 2021 titled, “*After a Year of Protests, Portland is Ready to Move on. But Where?*”. This article was collected from this website:

<https://www.nytimes.com/2021/06/09/us/portland-protests.html> on February 3, 2022.

56. Attached as **Exhibit 55** is a true and correct copy of an article published by The Seattle Times dated May 28, 2020 titled, “*George Floyd protesters set Minneapolis police station a fire*”. This article was collected from this website: <https://www.seattletimes.com/nation-world/nation/fires-looting-rock-minneapolis-after-mans-death-1-dead/> on September 16, 2022.

57. Attached as **Exhibit 56** is a true and correct copy of press release from former Seattle Mayor Jenny Durkan’s office dated May 30, 2020. This press release was collected from the City of Seattle’s website at: <https://durkan.seattle.gov/2020/05/mayor-durkan-issues-emergency-orders-proclaiming-civil-emergency-due-to-demonstrations-and-banning-use-of-weapons-throughout-city/> on September 14, 2021.

58. Attached as **Exhibit 57** is a true and correct copy of a Seattle Police Department SPD Blotter dated May 31, 2020. This SPD Blotter was collected from the City of Seattle’s website at: <https://spdblotter.seattle.gov/2020/05/31/chiefs-statement-on-may-30th-protests-downtown/> on September 14, 2021.

59. Attached as **Exhibit 58** is a true and correct copy of a June 3, 2020 Snap Shot Report from the City of Seattle’s Office of Emergency Management Emergency Operations Center (EOC). This document has been produced in this matter by the City of Seattle under Bates number SEA-OEM_000064 – SEA-OEM_000066.

60. Attached as **Exhibit 59** is a true and correct copy of a Seattle Police Department SPD Blotter dated June 1, 2020. This SPD Blotter was collected from the City of Seattle’s website at: <https://spdblotter.seattle.gov/2020/06/01/spd-declares-east-precinct-demonstration-a-riot/> on September 14, 2021.

61. Attached as **Exhibit 60** is a true and correct copy of a Seattle Police Department SPD Blotter dated June 7, 2020. This SPD Blotter was collected from the City of Seattle's website at: <https://spdblotter.seattle.gov/2020/06/07/east-precinct-protest-update/> on September 14, 2021.

62. **Exhibit number 61** was not used.

63. Attached as **Exhibit 62** is a true and correct copy of an email exchange between Seattle Police Department Assistant Chief Thomas Mahaffey and Seattle Police officer David Sullivan dated June 8, 2020. This document has been produced in this matter by the City of Seattle under Bates number SEA_00022773 – SEA_00022774.

64. Attached as **Exhibit 63** is a true and correct copy of excerpts from the deposition of Former Seattle Mayor Jenny Durkan taken in this matter on December 8, 2021.

65. Attached as **Exhibit 64** is a true and correct copy of excerpts from the deposition of Former Seattle Police Chief Carmen Best taken in this matter on November 9, 2021.

66. Attached as **Exhibit 65** is a true and correct copy of an email exchange between Stephanie Formas, former Mayor Jenny Durkan's Chief of Staff and Wall Street Journal reporter Ian Lovett dated June 12, 2020. This document has been produced in this matter by the City of Seattle under Bates number SEA_00136110.

67. Attached as **Exhibit 66** is a true and correct copy of an email exchange between Kamaria Hightower, former Mayor Jenny Durkan's Deputy Communications Director and various members of the press dated June 11, 2020. This document has been produced in this matter by the City of Seattle under Bates number SEA_00041990 – SEA_00041991.

68. Attached as **Exhibit 67** is a true and correct copy of press release and transcript from former Seattle Mayor Jenny Durkan's dated June 7, 2020. This press release and press conference transcript was collected from the City of Seattle's website at:

<https://durkan.seattle.gov/2020/06/transcript-mayor-durkans-remarks-at-sunday-june-7-press-conference/> on September 14, 2021.

69. Attached as **Exhibit 68** is a true and correct copy of an email exchange between Seattle Police Department Assistant Chief Thomas Mahaffey and Seattle Police officer Andrew Zwaschka dated June 9, 2020. This document has been produced in this matter by the City of Seattle under Bates number SEA_00025228 – SEA_00025229.

70. Attached as **Exhibit 69** is a true and correct copy of an email exchange between multiple Seattle Police Department Chiefs and officers dated June 9, 2020. This document has been produced in this matter by the City of Seattle under Bates number SEA_00159602 – SEA_00159603.

71. Attached as **Exhibit 70** is a true and correct copy of Dkt. No. 34, Order Granting in Part Motion for Temporary Restraining Order, filed June 12, 2020 in the matter of *Black Lives Matter of Seattle-King County, et. al. v. City of Seattle and City of Seattle Police Department* (Case No. 2:20-cv-00887-RAJ, USDC-WDWA).

72. Attached as **Exhibit 71** is a true and correct copy of an email exchange between members of the Seattle Police Department including former Police Chief Carmen Best and Assistant Chief Thomas Mahaffey dated June 14 - 15, 2020. This document has been produced in this matter by the City of Seattle under Bates number SEA_00021400 – SEA_00021401.

73. Attached as **Exhibit 72** is a true and correct copy of a calendar invitation to City of Seattle employees who were active in the operation of the City's Emergency Operation Center (EOC) with attached call notes from the June 10, 2020 6:00 am EOC call. This document has been produced in this matter by the City of Seattle under Bates number SEA_00028041 – SEA_00028043.

74. Attached as **Exhibit 73** is a true and correct copy of a calendar invitation to City of Seattle employees who were active in the operation of the City's Emergency Operation Center (EOC) detailing the final daily update for June 9, 2020. This document has been produced in this matter by the City of Seattle under Bates number SEA_00020440 – SEA_00020442.

75. Attached as **Exhibit 74** is a true and correct copy of a calendar invitation to City of Seattle employees who were active in the operation of the City's Emergency Operation Center (EOC) with attached call notes from the June 10, 2020 11:00 am EOC call. This document has been produced in this matter by the City of Seattle under Bates number SEA_00028039 – SEA_00028040.

76. Attached as **Exhibit 75** is a true and correct copy of an email exchange amongst several City of Seattle employees, including Seattle Transportation Director Sam Zimbabwe, dated June 10 - 11, 2020 with an attached map of street barriers. This document has been produced in this matter by the City of Seattle under Bates number SEA_00091462 – SEA_0091469.

77. Attached as **Exhibit 76** is a true and correct copy of an email exchange amongst several employees of the Seattle Police Department dated June 16, 2020 with an attached map of barrier placement. This document has been produced in this matter by the City of Seattle under Bates number SEA-SPD_006803 – SEA-SPD_006804 and was marked as deposition exhibit 15 during the January 26, 2022 deposition of Assistant Police Chief Thomas Mahaffey.

78. Attached as **Exhibit 77** is a true and correct copy of a document titled, "Updates on Capitol Hill from the City of Seattle". This document has been produced in this matter by the City of Seattle under Bates number SEA_00140465 – SEA_00140468.

79. Attached as **Exhibit 78** is a true and correct copy of an email exchange between Kamaria Hightower, Mayor Durkan's former Deputy Communications Director and Deedee Sun of KIRO 7 news dated June 29, 2020. This document has been produced in this matter by the City of Seattle under Bates number SEA_00081428 – SEA_00081429.

80. Attached as **Exhibit 79** is a true and correct copy of an email exchange between Ernesto Apreza, Mayor Durkan's former Director of Communications and Anna-Maja Rappard and Dan Sion of CNN dated June 26, 2020. This document has been produced in this matter by the City of Seattle under Bates number SEA_00042297 – SEA_00042298.

1 81. Attached as **Exhibit 80** is a true and correct copy of Executive Order 2020-08
2 signed on June 30, 2020 by Mayor Jenny Durkan. This document has been produced in this matter
3 by the City of Seattle under Bates number SEA_00045264 – SEA_00045268 was marked as
4 deposition exhibit 1 during the December 8, 2021 deposition of Mayor Jenny Durkan.

5 82. Attached as **Exhibit 81** is a true and correct copy of an email exchange between
6 Michael (Mike) Malone, Chairman and Owner of Hunters Capital and Seattle Police Chief Carmen
7 Best dated July 1, 2020. This document has been produced in this matter by Plaintiffs' under
8 Bates number CHOP-0016627.

9 83. Attached as **Exhibit 82** is a true and correct copy of excerpts from Plaintiff's
10 Answers and Responses to Defendant City of Seattle's Second Discovery Requests dated May 10,
11 2021.

12 84. Attached as **Exhibit 83** is a true and correct copy of an email exchange between Jill
13 Cronauer and Kayla Stevens of Hunters Capital and Nitika Arora dated June 23 – 25, 2020. This
14 document has been produced in this matter by Plaintiffs' under Bates number CHOP-0015395 –
15 CHOP-0015397 and was marked as deposition exhibit 150 during the January 20, 2022 deposition
16 of Mr. Oaksmith, one of Hunters Capital's Rule 30(b)(6) designees.

17 85. Attached as **Exhibit 84** is a true and correct copy of excerpts from the deposition of
18 Michael Oaksmith, one of Hunters Capitol's Rule 30(b)(6) designees, taken in this matter on
19 January 20, 2022.

20 86. Attached as **Exhibit 85** is a true and correct copy of a document entitled, Estimated
21 losses for Bergman's Lock & Key. This document has been produced in this matter by Plaintiffs'
22 under Bates number CHOP-0008655 and was marked as deposition exhibit 7 during the May 4,
23 2021 deposition of Mr. Thompson, Bergman's Lock & Key's Rule 30(b)(6) designee.

24 87. Attached as **Exhibit 86** is a true and correct copy of a document entitled, June –
25 December Losses 2020. This document has been produced in this matter by Plaintiffs' under Bates

1 number CHOP-0005395 and was marked as deposition exhibit 20 during the May 7, 2021
2 deposition of Ms. Kilburn, Sway and Cake's Rule 30(b)(6) designee.

3 88. Attached as **Exhibit 87** is a true and correct copy of a document entitled, Olive St
4 Apartments LLC Cost to date March 1, 2021. This document has been produced in this matter by
5 Plaintiffs' under Bates number CHOP-0004900 and was marked as deposition exhibit 45 during
6 the May 21, 2021 deposition of Mr. Wanagel, Olive Street Apartments' Rule 30(b)(6) designee.

7 89. Attached as **Exhibit 88** is a true and correct copy of an excerpt of an excel
8 spreadsheet (formatted to pdf for filing) detailing Hunters Capital damages. This document has
9 been produced in this matter by Plaintiffs' under Bates number CHOP-0007739 and was marked as
10 deposition exhibit 63 during the September 30, 2021 deposition of Ms. Cronauer, one of Hunters
11 Capital's Rule 30(b)(6) designees.

12 90. Attached as **Exhibit 89** is a true and correct copy of an excel spreadsheet (formatted
13 to pdf for filing) detailing The Richmark Company (Richmark Label's) damages. This document
14 has been produced in this matter by Plaintiffs' under Bates number CHOP-0006423 and was
15 marked as deposition exhibit 91 during the November 16, 2021 deposition of Mr. Donner,
16 Richmark Label's' Rule 30(b)(6) designee.

17 91. Attached as **Exhibit 90** is a true and correct copy of a document detailing SRJ d/b/a
18 Car Tender's damages. This document has been produced in this matter by Plaintiffs' under Bates
19 number CHOP-0005389 – CHOP-0005390 and was marked as deposition exhibit 137 during the
20 January 19, 2022 deposition of Mr. McDermott, SRJ d/b/a Car Tender's Rule 30(b)(6) designee.

21 92. Attached as **Exhibit 91** is a true and correct copy of letter dated April 13, 2020 to
22 Hunters Capital from tenant Blick Art Materials, LLC. This document has been produced in this
23 matter by Plaintiffs' under Bates number CHOP-0012352 – CHOP-0012355 and is an excerpt
24 from deposition exhibit 69 marked during the September 30, 2021 deposition of Ms. Cronauer, one
25 of Hunters Capital's Rule 30(b)(6) designee.

93. Attached as **Exhibit 92** is a true and correct copy of March 13, 2020 email between Jill Cronauer of Hunters Capital and Ethan Stowell, Founder & CEO and Steve Hooper, Jr., President of Ethan Stowell Restaurants. This document has been produced in this matter by Plaintiffs' under Bates number CHOP-0027368 – CHOP-0027369 and was marked as deposition exhibit 62 during the September 30, 2021 deposition of Ms. Cronauer, one of Hunters Capital's Rule 30(b)(6) designee.

94. Attached as **Exhibit 93** is a true and correct copy of an email dated June 12, 2020 sent to officers within the Seattle Police Department by Jason Verhoff. This document has been produced in this matter by the City of Seattle under Bates number SEA-SPD_005983 – SEA-SPD_005984 and was marked as deposition exhibit 2 during the January 26, 2022 deposition of Assistant Police Chief Thomas Mahaffey.

95. Attached as **Exhibit 94** is a true and correct copy of an email dated June 18 - 19, 2020 between Seattle Police Department Chiefs Carmen Best, Adrian Diaz and Thomas Mahaffey, and members of the Mayor's Office, Mayor Jenny Durkan, Michael Fong, Julie Kline and Stephanie Formas. This document has been produced in this matter by the City of Seattle under Bates number SEA_00028176 – SEA_00028177 and was marked as deposition exhibit 13 during the December 8, 2021 deposition of Mayor Jenny Durkan.

96. **Appendix A** is a map of the proposed Class Area overlaid with the Seattle Police Department's "Red Zone" as of June 12, 2020. Appendix A was created using **Exhibit 93** to this declaration (SEA-SPD_005983) and **Exhibit 82** to this declaration (Plaintiffs' May 10, 2021 Responses and Objections to Defendant's Second Discovery Requests).

97. **Appendix B** is a map of the proposed Class Area overlaid with the Seattle Fire Department's "Red Zone" as of June 12, 2020. Appendix B was created using **Exhibit 45 at , page 12** to this declaration (SEA_00144709) and **Exhibit 82** to this declaration (Plaintiffs' May 10, 2021 Responses and Objections to Defendant's Second Discovery Requests).

I swear under the penalty of perjury under the laws of the United States that the foregoing is true and correct.

s/ Tyler L. Farmer
TYLER L. FARMER